

REMARKS

Applicants have carefully reviewed and considered the current Office Action and the reference(s) cited therein. Claims 3, 4, 10, 11, 13, 14, 18, 21, and 22 are herein amended; Claims 1, 2, 5, 6, 9, 12, 15-17, and 25-29 are herein canceled; and Claims 31-35 are herein added. As a result, Claims 3, 4, 10, 11, 13, 14, 18-22, and 31-35 are now pending in this application.

Newly added Claims 31, 33, and 35 are independent claims respectively replacing independent Claims 1, 12, and 27. Claims 3, 4, 10, and 11 have been amended to depend from newly added independent Claim 31, along with other minor amendments. Claims 13, 14, 18, and 22 have been amended to depend from newly added independent Claim 33, along with other minor amendments. Claim 21 has been amended to depend from Claim 18, along with other minor amendments.

Claim Objections

The Examiner has objected to Claim 6 because of the specific formalities. Applicants have herein canceled Claim 6, making this objection moot. Accordingly, Applicants respectfully this objection be withdrawn.

Rejection of Claims 1-3, 5, 10-20, 22, and 27-29 under 35 U.S.C. §103

The Examiner has rejected Claims 1-3, 5, 10-20, 22, and 27-29 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0250127 issued to Scoredos et al. ("Scoredos"), in view of U.S. Patent No. 7,062,540 issued to Reddy et al. ("Reddy"), and further in view of U.S. Patent No. 6,273,622 issued to Ben-David ("Ben"). Applicants contend that the present claims, as herein amended, are patentable over the cited art. Accordingly, Applicants respectfully request this rejection be withdrawn.

Applicants assert that Scoredos, Reddy, and Ben do not make the present claims, as amended herein, obvious when taken alone or in combination. Scoredos teaches using a limit count to limit the number of concurrent connections from a particular IP entity to a server. See paragraphs 6 16, and 17. If the limit count would not be exceeded, then Scoredos allows the connection. Applicants see no other reason

in Scoredos for rejecting a connection request other than the connection, if allowed, would exceed a permissible number (i.e., the limit count) of concurrent connections.

The present invention, to the contrary, uses data about previously received connection requests, including data about application layer outcomes associated with previously received connection requests that failed to complete a connection, to determine whether a current connection request should be allowed or not. In this manner, the present invention can drop a connection request even though the particular requestor may have never made a successful connection. This can happen, for example, when the computerized device of the present invention stores, in a connection database, application layer outcomes associated with the requestor that indicate the requestor has had previously failed connection requests. These kinds of application layer outcomes can cause the requestor's identifier to be placed in a throttle filter, which in turn can cause future connection requests from the requestor to be dropped.

The Examiner's use of Reddy as prior art appears to be misplaced. In fact, it is questionable as to whether Reddy is even related art. Reddy teaches a system and method for remotely monitoring and managing applications across multiple domains. Contrary to the Examiner's assertions, Applicant see no teachings in Reddy as to filtering connection requests. The system 10 does include a firewall 50 to limit access to the applications 42. However, Applicants see no explanation in Reddy as to what kind of connection requests are allowed by the firewall 50 and what kind of connection requests are rejected by the firewall 50. It appears that all connection requests from the portal 20 to a domain 30 are allowed and that all other connection requests to a domain 30 are rejected.

The Examiner asserts that Reddy teaches "an application layer connection component outcomes" and cites "Fig. 2, Step-76, col. 6, lines 17-25 and lines 29-36," more specifically asserting database 76 "keeps events which are outcomes of application and uses them later on as web server sends the response to client through HTTP protocol." Thus, the Examiner appears to be equating outcomes of applications with application layer connection component outcomes. Equating these is erroneous. It is clear that by application layer the present invention means an application layer as

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defined by the Open Systems Interconnection network model adopted by the International Organization of Standards. The passages cited by the Examiner refer to notifications (or other similar messages) generated by monitors 74, where the notifications are regarding events that have occurred in a monitored application 42. These notifications are not application layer outcomes as required by the present invention. Additionally, Reddy teaches storing these notifications in a database for later retrieval and subsequent forwarding to clients, but Applicants can find no teachings in Reddy that these notifications are later used to filter connection requests.

Ben is cited by the Examiner as disclosing "creating a soft error in a client from an unacknowledged connection request." The pending claims, as currently amended, no longer contain a soft error limitation.

Conclusion

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. If the Examiner believes that a telephone conversation with the Applicants' representative would facilitate prosecution of this application in any way, the Examiner is cordially invited to telephone the undersigned at (508) 616-9660.

Respectfully submitted,

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